

REMARKS

Claims 7, 9, 10, 13-15, and 23 were pending as of the December 20, 2002 Official Action. While not necessarily in agreement with the rejections made by the Examiner, Applicants have amended the claims to expedite review and allowance. Applicants also reserve the right to prosecute any cancelled claim matter in later applications.

Continued Examination under 37 CFR 1.114

Applicants thank the Examiner for entering the submission filed on 11/14/02 into this continuing examination application. The omission of claims 13-15 from the list of pending claims was inadvertent and Applicants thank the Examiner for recognizing that claims 13-15 are still pending in the case.

Rejection of Claims 7, 9, 10, and 13-15 under 35 USC § 112, 2nd Paragraph

Claims 7, 9, 10, and 13-15 have been rejected under 35 USC § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "an amino cyclohexyl derivative" is indefinite.

While not necessarily in agreement with the rejection made by the Examiner, Applicants have amended claims 7, 9, and 10 to remove the phrase "an amino cyclohexyl derivative" to expedite review and allowance. Applicants also reserve the right to prosecute any cancelled claim matter in later applications.

Applicants believe that with the above amendment to claims 7, 9, and 10, dependent claims 13-15 are now allowable.

Applicants ask the Examiner to reconsider his rejection of claims 7, 9, 10, and 13-15.

Allowability of Claim 23

Applicants thank the Examiner for allowing claim 23.

New Claims 27 and 28

New claims 27 and 28 have been added as part of this response.

Claim 27 is directed to a method of antagonizing A2B receptors comprising administration of a compound of a specific formula. Support for this claim is found on page 8, line 16 through page 9, line 1 and in Example 2 (especially in the table on page 16). In this portion of the specification the potency of a compound of formula (I) is shown. The compound of formula (I) is identified on page 17 of the specification as the compound wherein R is pyrrolidino. This is the compound shown in claim 27 (and is the compound of claim 23 that the Examiner has already found allowable). Applicants believe new claim 27 is supported by the specification and is patentable.

Claim 28 is directed to a method of treating asthma comprising administration of a compound of a specific formula. Support for this claim is found on page 8, line 12 and page 9, lines 1-2. The compound identified is claim 28 is the compound of claim 23 (that the Examiner has already found allowable). Applicants believe new claim 28 is supported by the specification and is patentable.

The Allowability of all Pending Application Claims

Claims 7, 9, 10, 13-15, 23, 27, and 28 are pending as a result of this Reply. In view of the above amendments and arguments, Applicants believe that all of pending claims 7, 9, 10, 13-15, 23, 27, and 28 are allowable and that all rejections and objections should be withdrawn.

Applicants request the Examiner to reconsider the rejections in view of the above arguments and claim amendments. Favorable reconsideration and allowance of the pending application claims is therefore courteously solicited.

Respectfully submitted,

**McDonnell Boehnen
Hulbert & Berghoff**

Dated: March 31, 2003

By:


A. Blair Hughes
Reg. No. 32,901
312-913-2123